THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No. 21362 OF 2005

Dated 30th September 2005

Between:

G. Durga Prasad and others.

...Petitioner

And

The Government of A.P., rep. by its Secretary,

Department of Revenue (Endowments),

Secretariat Buildings, Hyderabad and others.

...Respondents

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O R D E R:

The petitioners challenge the orders passed by the Government in G.O.Ms.No.1422, Revenue (Endowments) Department, dated 25-07-2005, and the consequential orders passed by the Religious Endowment.

The Government cancelled all the orders of appointment, promotion or extension of scales of pay, as the case may be, passed during the tenure of a particular officer as Commissioner of Endowments, by invoking powers under Section 19 of the A.P. Charitable & Hindu Religious Institutions and Endowments Act, 1987. This Court had an occasion to deal with a batch of matters in WP.No.19107 of 2005 and batch, through order dated
09-09-2005. The course of action, adopted in such matters, was pointed out. Learned counsel for the petitioners, Learned Government Pleader for Endowments, and the Learned Standing Counsel for the 3rd respondent-Temple, do not dispute that this writ petition is also identical to the said batch of writ petitions.

In view of the same, the writ petition is disposed of, directing that,

a. the 1st respondent, the Government of A.P., shall issue a show cause notice to the petitioners, pointing out the defects in the orders of promotion, issued in favour of the petitioners. On a consideration of the same, the Government shall pass appropriate orders, within two months from the date of receipt of a copy of this order.

b. Pending such proceedings, the petitioners shall be continued in service, subject to the same terms and conditions, as were applicable to them, before they came to be promoted.

c. In case, the enquiry is not concluded within the period stipulated above, or no extension sought for, is granted, the petitioners shall be entitled to the benefit of orders of promotion, without prejudice to the right of the Government, to take further steps.

There shall be no order as to costs.

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30th September 2005

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